

SECRETARY OF STATE[721]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code sections 47.1 and 17A.3, the Secretary of State hereby gives Notice of Intended Action to amend Chapter 22, “Voting Systems,” Iowa Administrative Code.

These proposed amendments are necessary due to the submission of a large number of Engineering Change Orders (ECOs) by voting equipment vendors. Chapter 22 currently does not provide the Board of Examiners for Voting Systems with any discretion to determine whether ECOs should be considered de minimis changes to the voting systems or whether they should be considered substantive modifications to the voting systems, requiring the voting systems to be recertified by the Board of Examiners before any of the changes can be implemented. In most cases, these ECOs will affect the ability of county commissioners to have existing voting equipment repaired.

Any interested person may make written suggestions or comments on these proposed amendments on or before November 10, 2009. Written suggestions or comments should be directed to Sarah Reisetter, Elections Director, Office of the Secretary of State, First Floor, Lucas State Office Building, Des Moines, Iowa 50319.

Persons who want to convey their views orally should contact the Secretary of State’s office by telephone at (515)242-5071 or in person at the Secretary of State’s office on the first floor of the Lucas State Office Building. Requests for a public hearing must be received by November 10, 2009.

These amendments were also Adopted and Filed Emergency and are published herein as **ARC 8244B**. The purpose of this Notice is to solicit comment on that submission, which is incorporated by reference.

These amendments are intended to implement Iowa Code chapter 52.